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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/064,118      | 06/12/2002  | Lawrence Miller      | 36287.03300         | 1148             |

27171 7590 02/16/2005

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|          |
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| EXAMINER |
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HAMZA, FARUK

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| ART UNIT | PAPER NUMBER |
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2155

DATE MAILED: 02/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/064,118

**Applicant(s)**

MILLER ET AL.

**Examiner**

Faruk Hamza

**Art Unit**

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 June 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) \_\_\_\_\_ is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. This is responsive to the application filed on June 12, 2002. Claims 1-7 are now pending.

### ***Specification***

2. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required: Information signal claimed in claim 5 and computer readable medium claimed in claim 6 is not clear to examiner.

3. The disclosure is objected to because of the following informalities: [0036] is referring to "step 22". Appropriate correction is required.

### ***Claim Rejections - 35 USC § 101***

4. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 5 and 6 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. For a subject matter to be statutory, the claimed process must be limited to a practical application of the abstract idea of mathematical algorithm in the technological art. However,

"information signal" recited in claim 5 is not tangible. Specification failed to provide antecedent basis for "Computer readable medium" recited in claim 6 and in view of claim 5, it appears that medium is not limited to tangible embodiment, therefore non-statutory.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

7. Claims 1,5,6 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Montulli (U.S. Patent Number 6,134,592).

Montulli has disclosed:

- <Claim 1>

A method for providing information to a client browser, the method comprising:

sending a first request from a client to a server; responsive to the first request, initiating a request to create a token; (Column 7, lines 35-36)

responsive to the first request, sending information from the server to the client, the information including at least display data and a first link corresponding to the token; (Column 7, lines 36-40)

rendering the display data in a browser of the client; (Column 7, lines 40-43)  
sending a second request from the client to the first link; (Column 7, lines 45-50)  
determining whether the token is created; and (Column 8, lines 21-22)  
if the token is created, sending the token to the client. (Column 8, lines 21-24).

8. In the computer network art a computer program product is essentially the software that can be loaded into a general purpose computer to convert it into a specific machine that perform the steps of a method to be performed by the loaded program product and/or software. Claim 1 is essentially the same as claim 5,6 and 7 except that it sets for the claimed invention as an executable software code or executable code or executable program as recited in claims 5,6 and 7.

9. Therefore 5,6 and 7 are rejected under the same rational given to claim 1 above.

### ***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 2-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montulli (U.S. Patent Number 6,134,592) as applied above, and further in view of Sato et al. (U.S. Patent Number 6,718,482) hereinafter referred as Sato.

12. With respect to claim 2,

Montulli teaches initiating request to create token and life time of that token (Montulli, Column 8, lines 26-31) but explicitly doesn't teach using timer.

However, Sato in an analogous art teaches using count-down timer. (Column 14, lines 31-33).

13. With respect to claim 2, it would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify the system of Montulli by adding the count-down timer that allows a user to have the system with greater portability. The incorporation of the count-down timer in Montulli would make the system versatile. (Sato, Column 2, lines 29-33)

14. As to claim 3 and 4 same rational given above applied in addition Sato teaches:

- <Claim 3>

A method according to claim 2, further comprising: if the token is not yet created, comparing the timer to a predetermined value. (Sato, Column 15, lines 30-35)

- <Claim 4>

A method according to claim 3, further comprising:  
if the timer exceeds the predetermined value (Sato, Column 15, lines 30-35)  
, sending a second link to the client, the second link corresponding to the token.  
(Montulli, Column 12, lines 46-51)

### ***Conclusion***

15. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure

- Arnold et al. (U.S. Patent Number 6,016,504) discloses a method for tacking the purchase of a product and service over the internet
- Hoang et al. (U.S. Patent Number 6,499,052) discloses electronic commerce system for referencing remote commerce sites at a local commerce site.
- Gage et al. (U.S. Patent Number 5,923,846) discloses a system for downloading messages and files from a bulletin board.

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- Glassman et al. (U.S. Pub. No. US 2003/0149900) discloses a system and method for providing multi-class processing of login request.
- Kou et al. (U.S. Pub. No. US 2002/0099936) discloses a secure session management and authentication for web sites.
- Davis et al. (U.S. Patent Number 6,643,696) discloses a method for tracking client interaction with a network resource and creating clients profiles and resource database.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached at 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll –free).



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Faruk Hamza

Patent Examiner

Group Art Unite 2155

  
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SUPERVISORY PATENT EXAMINER